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October 3, 1956

LANGLEY AERONAUTICAL LABORATORY
LANGLEY FIELD, VA.

AMES AERONAUTICAL LABORATORY
MOFFETT FIELD, CALIF.

LEWIS FLIGHT PROPULSION LABORATORY
21000 BROOKPARK ROAD, CLEVELAND 11, OHIO

Mr. Roger Jones
Assistant Director for
Legislative Reference
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Jones:

The attached draft of proposed legislation would amend the Atomic Energy Act of 1954 by extending to heads of executive agencies, as distinct from the Department of Defense alone, authority to permit an employee to have access to Restricted Data when required in the performance of his duties and so certified by the head of his agency.

The elimination of duplicate clearance requirements and of unnecessary restrictions on the exchange of Restricted Data among the various departments and agencies working on joint projects, such as the Aircraft Nuclear Propulsion program, will contribute materially to the progress of such projects. The present legal restrictions on the communication of Restricted Data between the NACA and agencies of the Department of Defense impede the traditional flow and exchange of information between NACA and the military services. A continual and unimpeded exchange of information with the military services is essential to avoid unnecessary duplication in research, to enable NACA to keep informed as to military objectives, and to facilitate rapid military exploitation of NACA research. As progress is made toward nuclear-powered flight, more and more aeronautical research will come within the scope of Restricted Data, as defined by law, and existing legal restrictions on the communication of such data between NACA and the military services will, unless modified, impede and delay progress.

Advice is requested as to the relationship of the attached legislative proposal to the program of the President.

Sincerely yours,

J. F. Victory
Executive Secretary

A BILL

An Act to amend the Atomic Energy Act of 1954, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 143 of the Atomic Energy Act of 1954 (68 Stat. 919) as amended, is amended to read as follows:

"SEC. 143. PARTICIPATION BY OTHER AGENCIES ~~DEPARTMENT-OF DEFENSE-PARTICIPATION~~ - The Commission may authorize any of its employees, or employees of any contractor, prospective contractor, licensee or prospective licensee of the Commission, or any other person authorized access to Restricted Data by the Commission under subsection 145b, to permit any employee of an agency of the executive branch of the Government of the United States ~~Department-of-Defense~~ or of its contractors, or any member of the Armed Forces to have access to Restricted Data required in the performance of his duties and so certified by the head of the appropriate agency ~~of-the-Department-of-Defense~~ or his designee: PROVIDED, HOWEVER, That the head of the appropriate agency ~~of-the-Department-of-Defense~~ or his designee has determined, in accordance with the established personnel security procedures and standards of such agency, that permitting the member or employee to have access to such Restricted Data will not endanger the common defense and security: AND PROVIDED FURTHER, That the head of the appropriate agency ~~Secretary-of-Defense~~ finds that the established personnel and other security procedures and standards of such agency are adequate and in reasonable conformity to the standards established by the Commission under section 145.